

COMMITTEE AMENDMENT FORM

99-0-0395

Committee: ZONING

Page Number(s): 1 & 2

G-3

Ordinance I.D.: 99-0-0395

Section(s): 2 & Caption

Resolution I.D.:

Date: 3-9-99

AMENDMENT: To amend Page 1, in the Caption, to delete the word "feasible," and to add in lieu thereof, the words "within the street scape".

To amend Page 1, to delete the Second Whereas Clause.

To amend subparagraph (6) of Section 1, by deleting the words "where feasible", and by adding in lieu thereof, the words "within the area of land disturbance, i.e., the street," so that when amended it will read:

"(6) Trees with a caliper of ~~six~~ inches or more measured at breast height, removed as the result of street construction, shall be replaced within the area of land disturbance, i.e., the street, in accordance with all requirements of Chapter 158, Article II, **Division 3** of the City Code."

CITY COUNCIL
ATLANTA, GEORGIA

99-0 -0395

AN ORDINANCE

BY COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO AMEND PART 15 OF THE LAND DEVELOPMENT CODE, ENTITLED "LAND SUBDIVISION ORDINANCE OF THE CITY OF ATLANTA," SO AS TO INCLUDE A REQUIREMENT THAT TREES REMOVED AS THE RESULT OF STREET CONSTRUCTION BE REPLACED WHERE FEASIBLE; TO PROVIDE THAT A TREE REPLACEMENT PLAN CONSISTENT WITH CHAPTER 158, ARTICLE II, DIVISION 3 OF THE CITY CODE BE IMPLEMENTED AS A PART OF THE REQUIRED IMPROVEMENTS IN THE LAND SUBDIVISION ORDINANCE; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.

WHEREAS, the Land Development Code of the City of Atlanta Code of Ordinances provides a method to regulate the development of new housing throughout the neighborhoods in the City more commonly known as the Land Subdivision Ordinance; and

WHEREAS, the Land Subdivision Ordinance requires that certain standards and criteria be followed so the new development or redevelopment within existing neighborhoods is compatible with the surrounding environment ; and

WHEREAS, Section 158-28 of the City Code establishes that a policy of the City is that there shall be no net loss of trees within the boundaries of the City; and

WHEREAS, Chapter 158, Article II, Division 3 of the City Code requires a permit for the destruction or removal of any trees having a diameter at breast height of six inches or more;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ATLANTA, GEORGIA as follows:

1. That a new sub-paragraph to be added to Subsection (a) of Section

15-08.002 of the Land Subdivision Ordinance concerning street design standards; said new subsection to be identified as sub-paragraph "(6)" so as to be cited as Section 15-08.002(a)(6) and to read as follows:

(6) Trees with a caliper of six inches or more measured at breast height, removed as the result of street construction, shall be replaced, where feasible, in accordance with all requirements of Chapter 158, Article 11, Division 3 of the City Code.

2. That a new paragraph be added to Section 15-09.001 of the Land Subdivision Ordinance, titled "Required improvements" which shall require a tree replacement plan to be implemented in the creation of the subdivision; said section to be cited as Section 15-09.001 and to read as follows:

A tree replacement plan shall be implemented which meets all requirements in Chapter 158, Article II, Division 3 of the City Code.

3. BE IT FURTHER ORDAINED that all ordinances and parts of ordinances in conflict herewith are hereby repealed.